

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TRANSOURCE PENNSYLVANIA, LLC,	:	Civil No. 1:21-CV-01101
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
GLADYS BROWN DUTRIEUILLE, <i>et</i> <i>al.</i> ,	:	
	:	
Defendants.	:	Judge Jennifer P. Wilson

ORDER

AND NOW, on this 26th day of August, 2021, for the reasons set forth in the accompanying memorandum, **IT IS ORDERED THAT:**

1. The motion to dismiss filed by Defendants, Doc. 57, will be **DENIED** in part with respect to Defendants’ arguments that Transource lacks standing. The court defers ruling on the remainder of the motion.

2. Having determined that the court has jurisdiction over this lawsuit, in the exercise of its discretion, the court will abstain from exercising its jurisdiction until final resolution of the parallel Pennsylvania Commonwealth Court proceeding at docket number 689 CD 2021 in accordance with *Wilton v. Seven Falls Co.*, 515 U.S. 277, 290 (1995); *Brillhart v. Excess Ins. Co.*, 316 U.S. 491, 495 (1942); and *Reifer v. Westport Ins. Corp.*, 751 F.3d 129, 139 (3d Cir. 2014).

3. This case is stayed at least until the final resolution of this parallel proceeding.

4. The parties shall notify the court once there is a final ruling on the merits of the Commonwealth Court case. The parties shall advise the court, in light of the Commonwealth Court's ruling, whether either party wishes to lift the stay and proceed with this case, and whether there are ongoing proceedings pending in Pennsylvania state court.

5. The court defers ruling on the remainder of the issues presented in the pending motions until such notice is received. (Docs. 20, 21, 40, 57.)

s/Jennifer P. Wilson
JENNIFER P. WILSON
United States District Court Judge
Middle District of Pennsylvania